



Appl. No. 09/833,847
Response Dated May 21, 2004
Reply to Office Action of 11/21/03
Submission Accompanying RCE

Attorney Docket No.: P00324US00

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|----------------|---------------------------------|
| App. Ser. No.: | 09/833,847 |
| Filing Date: | April 12, 2001 |
| Inventor: | B.C. Hornady |
| Title: | Apparatus for Covering Payloads |
| Responsive to: | Office Action of 11/21/2003 |
| Examiner: | Gutman, Hilary L |
| Art Unit: | 3612 |

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Submission Accompanying RCE

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

REQUEST FOR CONTINUED EXAMINATION: The Applicant hereby respectfully requests continued examination of Application Serial Number 09/833,847. In connection with this request, Applicant submits as its Submission under 37 C.F.R. 1.114(c) the Amendment and argument attached hereto, in response to the Examiner's Office Action dated November 21, 2003 (and the subsequent Advisory Action dated March 22, 2004). Reconsideration and reexamination in light of this submission is respectfully requested.

EXTENSION REQUEST: Applicant requests and petitions for an extension of three months, and attaches hereto the appropriate fee for such extension.

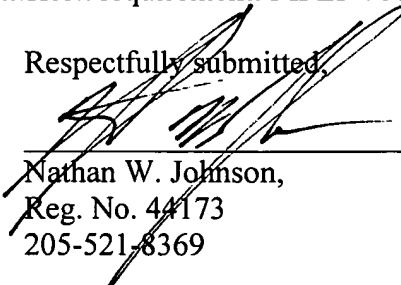
RCE CONDITIONS SATISFIED: This RCE and Submission satisfy all requirements:

- Prosecution is closed (37 C.F.R. 1.114(a)), because the application is subject to a final Office Action (37 C.F.R. 1.114(b)).
- Applicant requests continued examination (37 C.F.R. 1.114(a)), by virtue of the RCE Cover Sheet attached hereto and the above request.
- The Fee set forth in 37 C.F.R. 1.17(e) is included herewith by means of a check and an authorization to charge deposit account
- This filing is made prior to the abandonment of the application. No issue fee has been paid, and no notice of appeal has been filed.

PROPER SUBMISSION: This Submission is an amendment, and argument in response. The Applicant requests that all previously submitted amendments be entered in the order submitted, and that the drawings revisions approved by the Examiner on March 22, 2004 be entered. This satisfies the submission requirement. MPEP 706.07(h)(II).

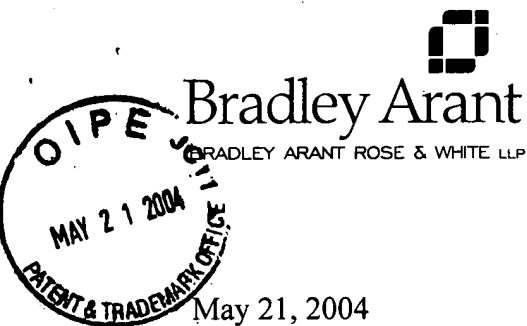
5-21-04
DATE Signed

Respectfully submitted,



Nathan W. Johnson,
Reg. No. 44173
205-521-8369

Cover/Index page



Bradley Arant

BRADLEY ARANT ROSE & WHITE LLP

May 21, 2004

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VIA EXPRESS MAIL NO. EV302016412US

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Re: Request for RCE
Serial No.: 09/833,847
Inventor: B.C. Hornady
Filed: April 12, 2001
Examiner: Gutman, Hilary L.

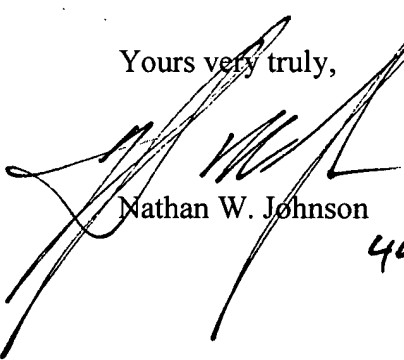
Dear Commissioner:

Please find enclosed a Request for Continued Examination, including

- a. An RCE Transmittal form PTO/SB/30,
- b. A Submission
- c. The proper fees for an RCE and an extension of three months.

Applicant hereby requests and petitions for an extension of three months. Please accept, enter, and forward these materials to the examiner for continued examination.

Yours very truly,


Nathan W. Johnson

44,173

CERTIFICATE OF TRANSMISSION
37 C.F.R. 1.8

I hereby certify that the items detailed below are being deposited with the U.S. Postal Service as Express Mail, Post Office to Addressee, in an envelope bearing Express Mail number EV302016412US and addressed to the United States Patent and Trademark Office and deposited on May 21, 2004, with the following address:

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

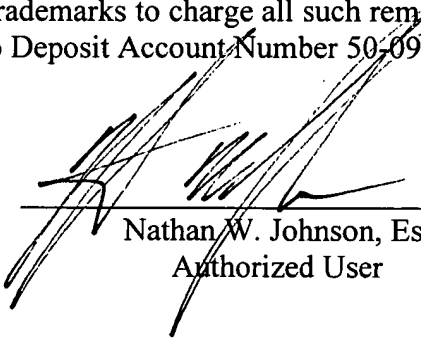
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|---|------|
| Cover Letter | 2 p. |
| Request for RCE (form PTO/SB/30) | 1 p. |
| Submission to Office Action | |
| Cover (entitled "Submission Accompanying RCE") | 1 p. |
| Response p.1 (entitled "Response to Office Action") | 1 p. |
| Claim Amendments | 3 p. |
| Remarks/Argument | 3 p. |
| This Page | 1 p. |
| Total 12 pages | |



Date Nathan W. Johnson
 Registration No. 44,173

AUTHORIZATION TO CHARGE
DEPOSIT ACCOUNT

If, after processing the enclosed checks, any charges, fees, or sums due remain unpaid in connection with this correspondence, I hereby authorize the Commissioner of Patents and Trademarks to charge all such remaining fees, charges, and other sums due to Deposit Account Number 50-0954.



Nathan W. Johnson, Esq.
Authorized User

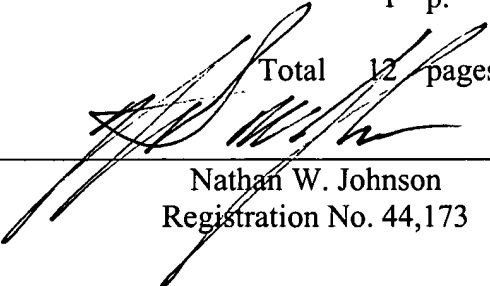
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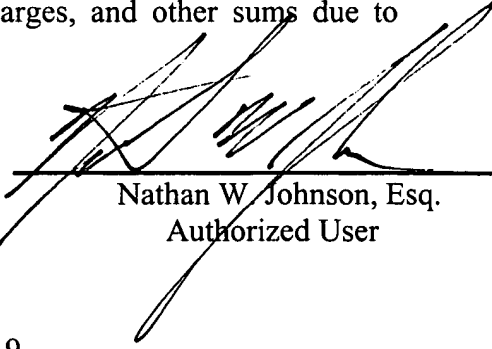
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Nathan W. Johnson, Esq.
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